



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

THE
AMERICAN
LAW REGISTER
AND
REVIEW

Editorial Committee:

HON. H. B. BROWN, Supreme Court of the United States.	
HON. JAMES T. MITCHELL.	HON. SAMUEL W. PENNYPACKER.
HON. E. J. PHELPS.	S. DAVIS PAGE.
C. STUART PATTERSON.	SAMUEL S. HOLLINGSWORTH.
GEORGE TUCKER BISPHAM.	HAMPTON L. CARSON.
H. LABARRE JAYNE.	

Editors:

GEORGE WHARTON PEPPER.	WILLIAM DRAPER LEWIS.
------------------------	-----------------------

(FIRST SERIES)
VOLUME XXXI.
(SECOND SERIES VOLUME V.)

FROM JANUARY TO DECEMBER, 1892.

PHILADELPHIA
UNIVERSITY OF PENNSYLVANIA PRESS
1892

TABLE OF CONTENTS.

ABSTRACTS OF CASES ..57, 141, 216, 284, 365, 424, 498, 562, 624, 707,
804, 901

ANNOTATIONS AND LEADING CASES.

ADDITIONAL DAMAGES FOR CHANGE OF PLAN. <i>Merritt Starr</i>	536
Chicago & Western Ind. R. R. Co. v. Coggsell. <i>Illinois Appellate Court.</i>	
ADMISSIBILITY OF CONFESSIONS AS EVIDENCE. <i>Henry N. Smaltz</i>	776
Early v. Commonwealth. <i>Supreme Court of Appeals of Virginia.</i>	
AGREEMENTS FOR COMPENSATION BETWEEN ATTORNEY AND CLIENT. <i>H. Gordon McCouch</i>	751
Pierce v. Kyle. <i>Supreme Court of Ohio.</i>	
AUTHORITY OF THE TILDEN WILL CASE OUTSIDE OF NEW YORK STATE. <i>Howard W. Page</i>	123
Tilden v. Green. <i>Court of Appeals of New York.</i>	
CONTRIBUTORY NEGLIGENCE. <i>Wm. Wharton Smith</i>	266
Lake Shore & M. S. Ry. Co. v. Bodeman. <i>Supreme Court of Illinois.</i>	
DONATIONES CAUSA MORTIS. <i>John A. McCarthy</i>	681
Thomas Adm'r v. Lewis et al. <i>Supreme Court of Virginia.</i>	
DOWER, ANTE-NUPTIAL RELEASE OF. <i>Alfred Rowland Haig</i>	831
Pulling's Estate — Lothrop's Appeal. <i>Supreme Court of Michigan.</i>	
GERRYMANDERING. <i>R. D. S.</i>	851
People ex rel. Carter v. Rice, Secretary of State. <i>Court of Appeals of New York.</i>	
LAW OF THE FLAG. <i>Horace L. Cheyney</i>	193
The "August." <i>High Court of Justice, Probate Division.</i>	
LEVY ON GROWING CROPS. <i>R. D. S.</i>	602
Sparrow v. Pond. <i>Supreme Court of Minnesota.</i>	
LIABILITY OF EMPLOYER FOR TORTS OF AN INDEPENDENT CONTRACTOR. <i>Ardemus Stewart</i>	352
Bibb's Adm'r v. N. & W. R. R. <i>Supreme Court of Appeals of Virginia.</i>	
MECHANIC'S LIENS. <i>Benjamin H. Lowry</i>	390
Taylor v. Murphy. <i>Supreme Court of Pennsylvania.</i>	
NATURAL USE OF LAND, THE. <i>George Wharton Pepper</i>	38
Robb v. Carnegie. <i>Supreme Court of Pennsylvania.</i>	
OFFENCES AT COMMON LAW. <i>C. Percy Wilcox</i>	868
Commonwealth v. Randolph. <i>Supreme Court of Pennsylvania.</i>	

PROPER REMEDY FOR AN INTERFERENCE WITH THE RIGHT OF ACCESS TO PUBLIC RECORDS, THE. <i>Ar-</i> <i>demus Stewart</i>	769
West Jersey Title, etc., Co. v. Barber. <i>Court of Chancery of</i> <i>New Jersey</i> .	
PURCHASES BY TRUSTEES AT ADVERSE SALES. <i>Robert P.</i> <i>Bradford</i>	743
Mullen, Trustee v. Doyle <i>et al.</i> , Appellants. <i>Supreme Court of</i> <i>Pennsylvania</i> .	
RIGHT OF ADMINISTRATOR TO MAKE TRANSFERS. <i>Maurice</i> <i>G. Belknap</i>	878
Solinsky v. Fourth Nat. Bank of Grand Rapids. <i>Supreme Court</i> <i>of Texas</i> .	
RIGHT OF REAL ESTATE BROKER TO COMMISSIONS. <i>R. D. S.</i>	758
Garcelon v. Tibbets. <i>Supreme Judicial Court of Maine</i> .	
SET-OFF IN INSOLVENCY. <i>Horace L. Cheyney</i>	483
Nashville Trust Co. v. Fourth National Bank. <i>Supreme Court</i> <i>of Tennessee</i> .	
SOCIAL CLUBS AND THE LIQUOR LAWS. <i>Mayne R. Long-</i> <i>streth</i>	861
Commonwealth v. Tierney. <i>Supreme Court of Pennsylvania</i> .	

BOOK REVIEWS.

AMERICAN DIGEST, THE.....	211
BALLARD ON REAL PROPERTY.....	544
BEACH ON PRIVATE CORPORATIONS.....	493
BLACK ON INTOXICATING LIQUORS.....	799
BOISOT ON BY-LAWS OF PRIVATE CORPORATIONS.....	900
CAMPBELL ON PURITAN HISTORY.....	546
CHAPMAN'S MEDICAL JURISPRUDENCE AND TOXICOLOGY.....	897
CHASE'S LEADING CASES IN TORTS.....	801
COX'S MANUAL OF TRADEMARK CASES.....	898
DARLINGTON ON PERSONAL PROPERTY.....	52
FINCH'S INSURANCE CASES.....	545
GOULD'S STORY'S EQUITY PLEADINGS.....	543
LAMBERTENGHI'S IL DIRRITO COMUNE.....	544
LAWSON'S LEADING CASES.....	416
LEWIS ON THE FEDERAL POWER OVER COMMERCE.....	412
LEWIS'S AMERICAN RAILROAD AND CORPORATION REPORTS.....	553
MURPHY ON CORPORATIONS.....	415
ORDRONAUX ON CONSTITUTIONAL LAW.....	129
PATTERSON ON CONTRACTS IN RESTRAINT OF TRADE.....	209
PEPPER ON PLEADING.....	362
RICHARDS ON INSURANCE.....	420
RENO ON NON-RESIDENTS AND FOREIGN CORPORATIONS.....	704

EDITORIAL NOTES.

AMERICAN LAW REGISTER AND REVIEW, THE.....	612
CIRCUIT COURTS OF APPEAL.....	45
THE DEATH OF PRESIDENT AND VICE-PRESIDENT.....	702
INJUNCTIONS TO RESTRAIN LIBELS AND COURTS OF CRIMINAL EQUITY.....	782

JURISDICTION OF THE SUPREME COURT OVER POLITICS.....	403
JUSTICE BRADLEY.....	203, 270
LAU OW BEU, PETITIONER, IN RE	48
MEMBERSHIP OF THE NEXT ELECTORAL COLLEGE.....	700
MUST A SOCIAL CLUB TAKE OUT A LICENSE.....	892
NEGLIGENCE AND THE APPELLATE COURTS, THE QUESTION OF...	407
A NEW STATE TAX.....	406
RAILWAY CO. v. STATE OF MAINE.....	203
READING RAILROAD LEASES, THE.....	270
RIGHT OF CONTRACTING WITH CITIZENS OF OTHER STATES.....	208
STARE DECISIS	489
TILDEN v. GREENE.....	203
WM. WHARTON SMITH, ESQ., IN MEMORIAM.....	488

LEADING ARTICLES.

AMERICAN JURISPRUDENCE. <i>Simeon E. Baldwin</i>	644
ANTHRACITE TRADE SITUATION—THE PROBLEM BEFORE THE COMMISSION. <i>Thomas L. Greene</i>	145
BEHRING SEA CONTROVERSY, THE. <i>Henry Flanders</i>	590
BEHRING SEA CONTROVERSY, THE BRITISH SIDE OF THE. <i>Lawrence Godkin</i>	713
BEHRING SEA CONTROVERSY, THE AMERICAN SIDE OF THE. <i>Stephen B. Stanton</i>	809
BELIEF IN THE PRETERNATURAL AND ITS EFFECT UPON DISPOSITIONS OF PROPERTY. <i>Ardenus Stewart</i> .	
1. Conveyances, <i>Inter vivos</i>	505
2. Testamentary Dispositions	569
BILL OF LADING, ADOPTION OF A UNIFORM, BY INTER- NATIONAL CONFERENCE. <i>Morton P. Henry</i>	633
BOUNTY ON SUGAR, CONSTITUTIONALITY OF. <i>William Draper Lewis</i>	301
CONSTITUTIONALITY OF THE RECIPROCITY CLAUSE OF THE MCKINLEY TARIFF ACT. <i>C. Stuart Patterson</i>	65
CRIMES AND THEIR PUNISHMENT. <i>Hampton L. Carson</i> ...	458
EQUITY JURISDICTION AS APPLIED TO CRIMES AND MIS- DEMEANORS. <i>Richard C. McMurtrie</i>	1
INTERSTATE COMMERCE COMMISSION BEFORE THE FED- ERAL COURTS, THE. <i>Crawford Hening</i>	156
LEGISLATIVE AND JUDICIAL POWER, DISTINCTION BE- TWEEN. <i>William Hamilton Cowles</i>	433
MORICE v. BISHOP OF DURHAM, RULE IN. <i>Richard C. Mc- Murtrie</i>	522
MORTGAGES EXECUTED UNDER POWERS TO SELL LANDS AND PAY DEBTS. <i>Daniel Waite Howe</i>	17
PENNSYLVANIA DEFEASANCE ACT OF 1881, AND THE CASE OF SANKY v. HAWLEY. <i>C. Stuart Patterson</i> ..	378

PROCEDURE IN EARLY CRIMINAL TRIALS. <i>Hampton L. Carson</i>	371
RAILROAD LEASES TO CONTROL THE ANTHRACITE COAL TRADE, THE. <i>Sydney G. Fisher</i>	289
RECIPROCITY ACTS OF 1890—ARE THEY CONSTITUTIONAL? <i>Edward B. Whitney</i>	173
"RES ADJUDICATA." <i>E. T. Merrick</i>	611
SHYLOCK <i>v.</i> ANTONIO—JUDGMENT AFFIRMED. <i>George Wharton Pepper</i>	225
SUNDAY LAWS IN THE UNITED STATES. <i>James T. Ringgold</i>	723
TILDEN <i>v.</i> GREEN, EXAMINATION OF DECISION IN. <i>Richard C. McMurtrie</i>	235

NOTES AND COMMENTS.

HOMESTEAD RIOTS, THE. <i>J. Percy Keating</i>	556
METHODS BY WHICH THE STATES MAY TAX INTERSTATE COMMERCE. <i>Francis Cope Hartshorne</i>	496
A NEW CRITERION OF CONTRACT. <i>Richard C. McMurtrie</i>	364
O'NEILL <i>v.</i> THE STATE OF VERMONT. <i>Sentinel</i>	619
POWER OF THE STATE OVER THE RIGHT OF CONTRACTING. <i>Richard C. McMurtrie</i>	213